

REMARKS

Upon entry of this Reply, claims 1, 3-6, and 8-10 will remain in this application. Claims 2 and 7 have been canceled. Entry of the Reply and reconsideration of the application are requested.

The claim amendments appearing above were made after consideration of the comments provided by the Examiner in section 1 on page 2 of the Office Action. It is respectfully submitted that all claims now in this application are in proper form.

Claims 5 and 8-10 have been rewritten in independent form and should now be allowable.

Reconsideration of the rejection of claims 1 and 6 is requested in view of the amendment made above. Both claim 1 and claim 6 now specify that the attachment element of the invention has an essentially hemispherical or partially spherical shell and an insert arranged within the shell and made of a magnetic material. Both of these claims now additionally define a lower edge of the shell as being substantially flush against a lower side of the insert. Support for this particular limitation appears, for example, in lines 14-16 on page 4 of the substitute specification and in Figures 2 and 3.

The horseshoe permanent magnet 16 of the hole center finder forming the subject matter of U.S. Patent 3,068,573 to Sidwell is not arranged within an essentially hemispherical or partially spherical shell. Although the locator forming the subject matter of U.S. Patent 2,419,134 to Hall includes a ball-like portion 1, there is no suggestion to "add" such a ball-like portion over the Sidwell hole center finder in such a way that a lower edge of the ball-like portion is substantially flush against a lower side of an insert as claims 1 and 6 both particularly define.

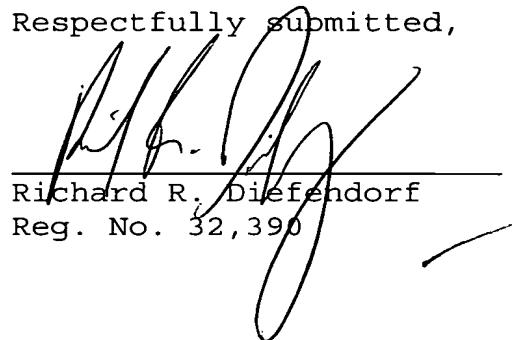
Claims 1 now also specifies that the device is for measuring a hole in a motor vehicle body part. This is not suggested by either the Sidwell patent or the Hall patent.

Claims 1 and 6, as amended above, are patentable along with claims 5 and 8-10. The rest of the claims remaining in this application are dependent claims and are patentable as well.

This application is now in condition for allowance. Should the Examiner have any questions after considering this Reply, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In each claim appearing below, deletions are bracketed and additions are underlined.

1. (Twice amended) Device for determining the position of or for measuring a hole in a [component, in particular a] body part of a motor vehicle, comprising:

a spike for fitting into the hole, and

an attachment element which can be connected releasably to the spike and, with the spike fitted into the hole, rests on the component surface surrounding the hole,

wherein at least part of the attachment element is produced from a magnetic material,

wherein the attachment element has an essentially hemispherical or partially spherical shell made of a non-magnetic material and an insert arranged within the shell and made of magnetic material, and

wherein a lower edge of the shell bears substantially flush against a lower side of the insert.

3. (Twice amended) Device according to Claim [2] 1, wherein the spike can be screwed to the attachment element.

5. (Twice amended) Device [according to Claim 1,] for determining the position of or for measuring a hole in a component comprising:

a spike for fitting into the hole, and
an attachment element which can be connected releasably to the spike and, with the spike fitted into the hole, rests on the component surface surrounding the hole,

wherein at least part of the attachment element is produced from a magnetic material, and

wherein the spike can be fastened to the attachment element in an asymmetrical manner with respect thereto.

6. (Twice amended) Attachment element for a device for determining the position of or for measuring a hole which is releasably connectable to a spike which can be fitted into the hole, at least part of the attachment element being produced from a magnetic material, comprising an essentially hemispherical or partially spherical shell made of a non-magnetic material and an insert arranged within the shell and made of a magnetic material, wherein a lower edge of the shell bears substantially flush against a lower side of the insert.

8. (Amended) Device [according to Claim 2,] for determining the position of or for measuring a hole in a component comprising:

a spike for fitting into the hole, and
an attachment element which can be connected releasably
to the spike and, with the spike fitted into the hole, rests on
the component surface surrounding the hole,

wherein at least part of the attachment element is
produced from a magnetic material,

wherein the attachment element has an essentially
hemispherical or partially spherical shell made of a non-
magnetic material and an insert arranged within the shell and
made of magnetic material, and

wherein the spike can be fastened to the attachment element in an asymmetrical manner with respect thereto.

9. (Amended) Device [according to Claim 3,] for determining the position of or for measuring a hole in a component comprising:

a spike for fitting into the hole, and
an attachment element which can be connected releasably
to the spike and, with the spike fitted into the hole, rests on
the component surface surrounding the hole,

wherein at least part of the attachment element is produced from a magnetic material,

wherein the attachment element has an essentially hemispherical or partially spherical shell made of a non-magnetic material and an insert arranged within the shell and made of magnetic material,

wherein the spike can be screwed to the attachment element, and

wherein the spike can be fastened to the attachment element in an asymmetrical manner with respect thereto.

10. (Amended) Device [according to Claim 4,] for determining the position of or for measuring a hole in a component comprising:

a spike for fitting into the hole, and
an attachment element which can be connected releasably to the spike and, with the spike fitted into the hole, rests on the component surface surrounding the hole,

wherein at least part of the attachment element is produced from a magnetic material,

wherein the attachment element has an essentially hemispherical or partially spherical shell made of a non-magnetic material and an insert arranged within the shell and made of magnetic material,

wherein the spike can be screwed to the attachment element,

wherein the spike has an upper part which is designed with a screw thread, can be passed through the insert and can be screwed to the inside of the shell, and

wherein the spike can be fastened to the attachment element in an asymmetrical manner with respect thereto.